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Babeş-Bolyai University
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Department of Public Administration and Management

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Special Issue / December / 2017

Communities and local sustainable development

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CONTENTS

- Raffaella AVERSA
Relly Victoria V. PETRESCU
Antonio APICELLA
Florian Ion T. PETRESCU
- 5 **Modern Transportation and Photovoltaic Energy for Urban Ecotourism**
- Aslı BOZDAĞ
Münevver Gizem GÜMÜŞ
Kutalmış GÜMÜŞ
Savaş DURDURAN
- 21 **Accessibility Analysis for the Elderly in an Urban Area from Turkey**
- Adina CANDREA
Cristinel CONSTANTIN
Ana ISPAS
- 38 **Public-Private Partnerships for a Sustainable Tourism Development of Urban Destinations. The Case of Braşov, Romania**
- Laura Maria IRIMIEŞ
- 57 **Lobbying and Social Participation – Key Features for an Effective Public Administration in Romania**
- Daniela Angelina JELINČIĆ
Sanja TIŠMA
Matea SENKIĆ
Domagoj DODIG
- 74 **Public-Private Partnership in Cultural Heritage Sector**
- Alicja K. ZAWADZKA
- 90 **Making Small Towns Visible in Europe: the Case of Cittaslow Network – The Strategy Based on Sustainable Development**

LOBBYING AND SOCIAL PARTICIPATION – KEY FEATURES FOR AN EFFECTIVE PUBLIC ADMINISTRATION IN ROMANIA

Laura Maria IRIMIEȘ

Abstract

Lobbying is one of the main structural elements of democratic governance and sustainable development and is essential to achieving competitive and efficient administrative and decisional processes in local governance. Successfully implementing lobbying regulations and techniques is of extreme importance for any public system, where social participation in the decision-making process can strongly contribute to social, political and economic / financial efficiency.

Over the last 15 years, several legislative initiatives have tried to design a coherent framework for lobby, but they are still unapplied either due to insufficient public understanding of the concept, or due to more or less justified uncertainties and fears.

The necessity of regulating lobbying in Romania is placed in a context where an important number of anticorruption international and domestic recommendations and state reliability statistics, added to a certain lack of effectiveness in time and public money management, show that the public administration system needs to be reformed. And lobbying is, as the following article shows, a must for any public reform of public administration in Romania.

The case of multilingual entrance signs / labels in Cluj-Napoca is an unquestionable and unbeatable example that the simple existence of legal frameworks of lobbying could turn into real time, energy and money savers.

Keywords: lobbying, public policy, decision making, social participation, good governance, democracy, minority rights.

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1. Introduction

Lobbying is a key feature for any public administration and democratic system based on social participation, legitimacy of decision and interest representation, as it allows the decision-making structure to have a very accurate control over priorities, interests and orientation of representative groups.

As studies show, the European Union, one of the most democratic political forms of organization, has always been subjected to intense lobbying activities and its considerable enlargement has obviously led to an impressive increase concerning the number of lobbyists and lobbying activities. According to Andersen and Eliassen, ‘no exact numbers exist but all estimates indicate that the number of lobbyists increased ten-fold between the early 1970s and mid-1980s and again four-fold between 1985 and 1992 (Andersen and Eliassen, 2001). As recent reports released by Transparency International EU show, the average amount of money spent on lobbying activities in the European Union raises up to 1.5 billion euros, while the top 20 companies alone spend over 60 million Euros per year (Transparency International EU, 2015).

On the other hand, and on the other side of the Atlantic Ocean, lobbying represents the very heart of public decision-making, the number of unique registered lobbyists to have performed lobbying actions in 2016 being set at 11,143 (Statista, 2017a). While the total number of lobbyists in the US may seem relatively limited, the total amount of money spent on lobbying activities is impressive, as Figure 1 on the evolution of total spending on lobbying in the United States of America between 1998 and 2016 shows:

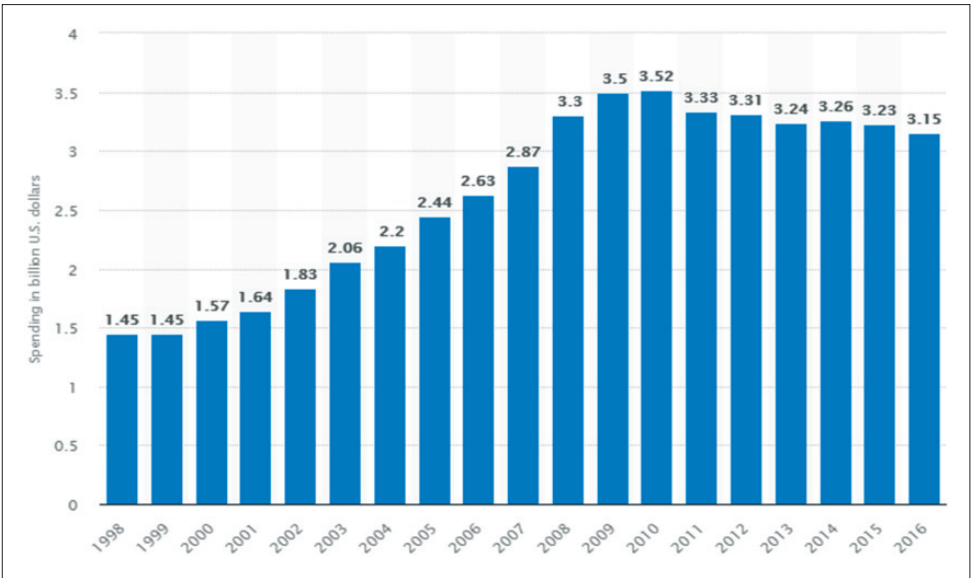


Figure 1: Total lobbying spending in the United States from 1998 to 2016 (in billion U.S. dollars)

Source: Statista, 2017b.

Furthermore, as Figure 2 shows, the more strategic the sector is, the more money is spent on lobbying activities:

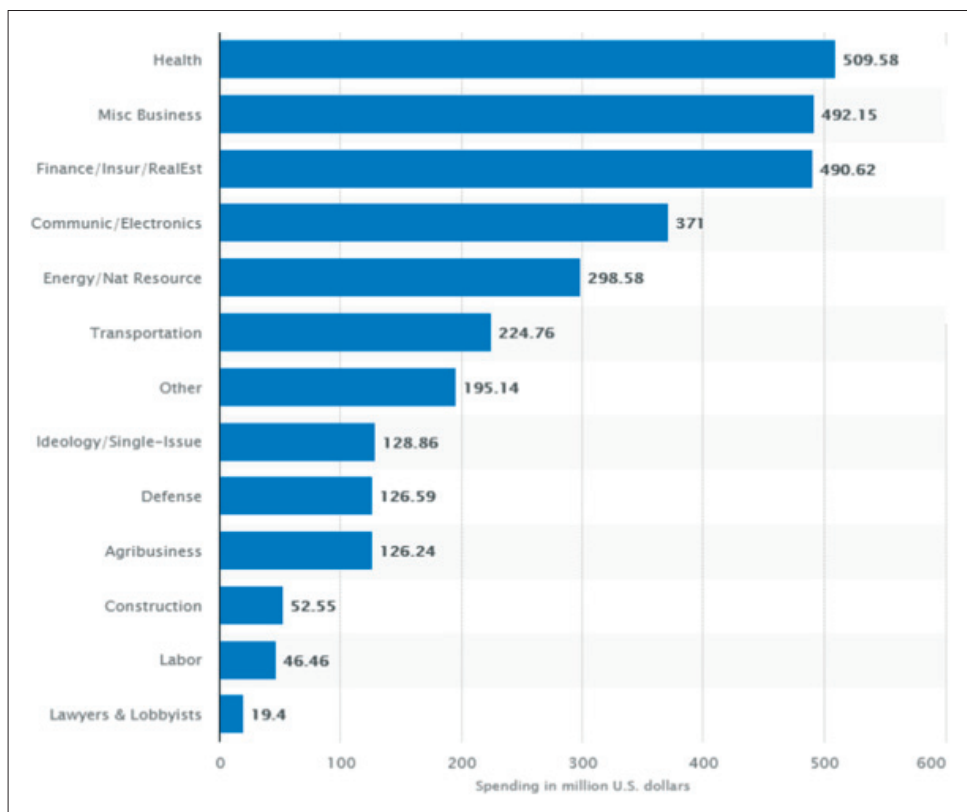


Figure 2: Total lobbying expenses in the United States in 2016, by sector (in million U.S. dollars)

Source: Statista, 2017c

The present article is an attempt to prove the imperative need for a strong lobbying legal framework in Romania, where we face a legislative void in what lobbying is concerned and where every attempt to establish any legal framework for the lobbying practice are so far sentenced to oblivion.

The first part of the research presents various theoretical approaches on lobbying, in order to define it as comprehensively and as clearly as possible, also presenting basic concepts related to lobbying. The next part of the study tries to lead from the theoretical approaches to the case study, by presenting the overall situation of lobbying at the level of European traditionally democratic countries in order to get to the Romanian context. While most European countries have successfully introduced lobbying in their legal practices, Romania is still facing the problem of not having any lobbying regulation. This forces informal lobbying organizations to self-regulate, as the study shows, and leads to considerable waste of time, money, energy at administrative and social levels in what interest representation is concerned.

2. Data and research methods

As we are referring to a case study based approach of lobbying, the data used for the specific case study come mostly from official documents (official correspondence, Court decisions, Local Council regulations), public statements, and relevant news articles on the subject.

Due to the fact that the situation we have approached in this study is very recent, the main research methods are based on direct non-participatory observation of the context, evolution and results, as well as on content analysis and case study, making use mostly of qualitative analysis, but with references to quantitative data as well. The analysis also follows the Facebook presence of the lobbying campaign, collecting data related to the reach and engagements generated by the messages posted, numbers of likes and shares.

The content analysis, the observation and the overall case study strongly underline the urgency of lobbying regulation in Romania, as a must for reaching a strong, legitimate and representative democracy and public administration system.

3. What is lobbying and how does it interfere with influence, resources and democracy

3.1. Theoretical approach. Basic concepts and definitions

Determining the importance and the role lobbying has in achieving a sustainable development and growth of democratic societies, we must start with defining the concepts we want to work with: 'lobbying', as well as 'effective democracy', and 'sustainable growth'.

Lobbying should be understood and approached as one of the most transparent ways of monitoring and influencing executive and legislative public decisions 'through actions that aim to support rights and legitimate interests in the promotion, enactment, amendment or repeal of decisions and decrees by authorities and public entities. It represents a form of maturity of any democracy, as it allows people to influence, through its low-profile, informal representatives, the decisions of official, formal and elected representatives' (Irimieş and Marusca, 2013, p. 56).

There are plenty of definitions for lobbying and almost all of them are focused on influence as a specific, definitory element. At its own turn, influence is strongly related to and directly and proportionally influenced by the existing resources (time, information, relations and money) that the lobbyist has.

If we refer to the definition given by Mihaileanu and Horja (2009), lobbying is a set of legal and transparent activities developed with the openly declared intention of influencing the opinion of the decision-makers.

More than a simple activity strongly related to public policy making, lobbying is of major importance for the human rights framework, as it is directly related to both freedom of speech and freedom of choice and decision. According to article 19 of the Universal Declaration of Human Rights, 'Everyone has the right to freedom of opin-

ion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers' (United Nations, 1948).

Abraham Lincoln defined democracy as being the '[...] government of the people, by the people, for the people' (Gettysburg Address, 1863). Taking this short, but very comprehensive definition as a benchmark, this form of government implies a constant and very consistent involvement of ordinary people that we shall later define as groups of interest or stakeholders, in the process of decision making for a strong and sustainable democracy.

Nevertheless, although lobbying seems to be an essential democratic tool for human rights and has a positive perception in most traditional and consolidated democratic systems, with strong and well established political frameworks, it is also associated with negative connotations in emerging, young democracies, especially in those raising from totalitarian regimes. Why is that? That is because lobbying is perceived as an exclusive activity representing the rights and interests of certain groups, defying the common public interest.

No matter the regime or geographic position, lobbying exists in each and every state around the world under different names and terms, with particular aspects and specific regulations. There are serious differences even between democratic systems, as in some countries the lobbying activity is more intense and evolved and in some this practice is barely developing. In some countries the lobbying activity is clearly defined by legislative regulations that strongly stipulate the differences between lobbying and illegal influential practices. Other countries have not yet designed a legal framework for this specific activity, but it is undertaken and developed under the name of lobbying or any other name. Due to this absence of a legal framework, some societies, Romania being among them, are very skeptical when it comes to lobbying, as it is usually associated with illegal practices of influencing public authorities.

Mihaileanu and Horja (2009) asserted that real and proper lobbying is a transparent activity based on strong communication strategies as well as on consistent technical, legislative and legal knowledge. Proper lobbying is, according to Tănase (2014), legitimate and represents an extremely important feature of democracy where social participation is seen as being of essential importance.

Clamen's theory (2005) is that the lobbyist meets his / her final objectives because he / she has a strong influence over his / her connections / decision makers due to the quality, clarity, accurateness and promptness of the information he / she holds and shares. The influence holds thus a major role within a lobbying campaign, being the key to the success of this activity that does not exist if there is no decision (Clamen, 2005). As decision requires persuasion in what the relationship with the decision maker is concerned (Clamen, 2005), we must take into consideration some more important and determining issues: influence towards a specific decision taken by the executive or legislative body in favor of the legitimate interests of the group that initiated the lobbying campaign; the decision factors involved; lobbyists' expertise grant-

ed to decision makers; direct and indirect contacts between lobbyists and decision makers; the use of manipulative practices; reaching the objective through enacting / rejecting an administrative or legislative regulation.

There is a vast body of literature concerning the lobbying process and techniques. Most of the publications debate over the definitions, types, procedures and techniques of lobby, or the way lobbying influence decisions in different fields of governmental activity. However, there is very few research dedicated to or that aims to design coherent policies and strategies meant to implement unitary lobbying procedures at different levels of governance systems.

3.2. European lobbying

‘According to Corporate Europe Observatory, a watchdog campaigning for greater transparency, there are at least 30,000 lobbyists in Brussels, nearly matching the 31,000 staff employed by the European Commission and making it second only to Washington in the concentration of those seeking to affect legislation. Lobbyists sign a transparency register run by the Parliament and the Commission, though it is not mandatory. By some estimates, they influence 75% of legislation. In principle, lobbyists give politicians information and arguments during the decision-making process’.¹

In what the European Union is concerned, most of the academic literature on lobbying makes use of the term interest representation in order to refer to those activities, tactics and strategies used by public and private actors in their transparent, coordinated and coherent attempt to influence the European public policy and regulations. The concept of lobbying is being referred to by both the European Commission and interest representation practitioners as being ‘[...] all activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions’ (European Commission, 2007).

While Brussels may not be considered the center of the world, it is definitely the center of European lobbying, coming second worldwide after Washington DC with the most important concentration of lobbyists and lobbying activities. The constantly growing number of lobbyists and their activities in Brussels has been mostly and most coherently and thoroughly approached by researchers in the field only after the 1990s, which makes European lobbying research quite a new field of interest. The European lobbying trends are mainly approached from three clear, distinct perspectives, all of them having interest representation as main feature: collective social action (Aspinwall and Greenwood 1998; Cram, 1998), economic influence and political mobilization (Green Cowles, 1998).

As we have already stated, the EU official institutions have always been subjected to lobbying. However, the degree and nature of lobbying have changed dramatically,

1 The Guardian, May 8, 2014, [Online] www.theguardian.com/world/2014/may/08/lobbyists-european-parliament-brussels-corporate

particularly during the 1980s. No exact numbers exist but all estimates indicate that the number of lobbyists increased ten-fold between the early 1970s and mid-1980s and again four-fold between 1985 and 1992 (Andersen and Eliassen, 2001).

After 1992 the number of specialized interest groups trying to influence decision making and public policy in Brussels seems to have been more or less stable. Thus, in 2005, the European Commission estimated that there were 15,000 lobbyists in Brussels, while the European Parliament estimated at approximately the same date that 500 large companies had representation and that there were 200 international firms. The number of lobbyists in Brussels considerably increased over the last ten years reaching a new level of more than 25,000 in 2015.

3.3. Lobbying in Romania

Not at all surprisingly, the lobbying activity is not regulated in Romania, although recent political history shows the existence of at least five parliamentary attempts on this matter, all of them being rejected or put on hold. This situation can make us consider that the Romanian democracy finds it extremely difficult to keep up with and / or to catch up with traditional, older democratic systems in Europe and, why not, even with the European Union itself. The situation can turn into an evident proof of the fact that Romanian politicians, public decision makers and the overall civil society may not be yet prepared to draw the extremely discrete line between legal practices of political persuasion and illegal practices of corruption, traffic of influence and situations of institutional incompatibility.

Despite the fact that the European Union as a governing, political, administrative and organizational system has embraced the idea of lobbying as being associated with a comprehensive resource of information, knowledge and expertise that may be of considerable help to political authorities as well as to a major growth of transparency within the public sector, the Member States have different understandings on this issue. France, Germany, Netherlands, and Denmark, for instance, have openly embraced the lobbying practices and officially included them in the existing regulations. Meanwhile, Austria has allocated a special chapter to lobbying procedures within the Laws for increasing transparency.

Lobbying is officially recognized and regulated not only in Western Europe, by that meaning in traditionally democratic systems, but also in Eastern European states that have the same recent historical and political background as Romania does. It is the case of Lithuania, Poland, and Hungary that, despite the common background, have differently consolidated their democratic systems and approached lobbying as part of their state reforms.

As we have stated before, Romania has neither a law for lobbying, nor an official framework or clear lobbying procedures. What Romania still has is a partially formal recognition of lobbying through the Court decision that approves with the constitution of a lobbying society named the Romanian Lobbying Registry Association, as well as the inclusion of the lobbying specialist in the Romanian job classification (Bălan, 2015).

All these are a faint reflection of what there is needed to be done, while the Romanian law of lobbying has a rich historical background, but no approval at all.

The 2014 Report from the Commission to the Council and the European Parliament may help understanding this situation. According to the official document of the European Commission, while an overwhelming majority of Romanians, more precisely 92% of the Romanian people, consider that corruption is a widely spread plague of the domestic society and affairs, they associate lobbying with corruption, groups of interest to political clientele and consider that bribery is the stimulating argument for influencing important political decisions (European Commission, 2014).

The very first formal steps towards regulating lobbying were taken after more than 10 years of official democracy in Romania, but the first law that led to a more transparent governance was enacted even later, in 2001, when the Law granting free access to information of public interest (Law no. 544/2001) was enacted. This specific regulation was pretty quickly followed by the Law for transparency of decisions in public administration (Law no. 52/2003).

In 2000, senator Ulm Spineanu designed and brought into the parliamentary debate the first ever enacted project of law for lobbying that defined lobbying as an independent activity, presented the general attributes and chores of lobbyists as professionals, suggested the necessity of a national association of lobbyists and also imposed penalties for breaking legal regulations.

In 2004, deputy Octavian Mitu made another attempt to regulate lobbying through a 9-chapter initiative that also defined lobbying as being related to groups of interests, to authority control and certification. He also suggested the necessity of establishing a national association of lobbying practitioners and a set of penalties for breaking the legal framework. This initiative was as well forgotten and so, the year 2009 brought the third major project that was included in a larger set of projects meant to help increasing the effectiveness of the Romanian business environment. The initiator was the minister of Small and Medium Enterprises, Trade and Business Environment, Constantin Niță, and the project was based on the need of transparency and efficiency of public decision, the need for protection of both decision makers in public institutions and groups of interests that wanted to conduct legal lobbying activities as opposed to corruption practices and also on the need to legalize the attempts made by representatives of the business environment in order to influence public policies. The new project stipulated definitions of lobbying, actors, specific actions and activities, objectives, authorities in charge, incompatibilities, limits and penalties. The project too never passed parliamentary commissions, although it was re-debated in the spring of 2017.

The debates over a law of lobbying were reopened in April 2017, with both the initiative of Constantin Niță and a more recent one, submitted in 2011 by Carmen Moldovan (PSD), Sever Voinescu (PD-L) and Adriana Saftoiu (PNL). The Parliament decided again to send back the law initiatives for debate as it was considered that there was a considerable risk that their enactment would lead to the legalization of bribery, illegal political persuasion and corruption acts.

Under these circumstances, the Romanian practitioners had to self-regulate and created the Romanian Lobbying Registry Association (2015), their own Code of Ethics, the Registry for Transparency and a Supervising Commission for lobbying activity. Despite these establishments, Romanian lobbying professionals still don't have any official and real power in the absence of a formal law of lobbying.

As we can clearly conclude the lobbying legislation still has to wait, although, according to a research called 'Lobbying in Romania' conducted in 2012 by Oancea, Mihaileanu and Horja reconfirmed the presence of informal lobbying activities within the Romanian decisional system and stated the necessity of establishing a clear legal framework. The research showed that the majority of the subjects – 83% of the politicians and 100% of the NGOs questioned – were in favor of enacting a law of lobbying; the study also proved that one of the main obstacles this particular law had to face and eventually overcome was a very weak awareness among common people.

4. Multilingual street signs in Cluj-Napoca – a situation where proper lobbying could have saved time, energy and interethnic relations

4.1. Grassroots lobbying

While lobbying and lobbyists tend to take over and lead social participation actions and strategies, grassroots lobbying is getting to be more and more important as a tool of influence. But what is grassroots lobbying? According to the general perception, grassroots lobbying is an attempt to influence legislative / governmental decisions by first affecting the public opinion regarding that specific issue and determining the public to take action, put pressure on and influence the decision-makers as opposite to direct lobbying, where the action is undertaken by professional lobbyists that directly appeal to decision-makers.

'Grassroots lobbying is an extremely important concept, referring to calls to action addressed to public opinion in order to take attitude towards legislative bodies on a certain issue. It means basically the same as indirect lobbying as the influence upon legislation is realized by motivating and stirring the members of a determined community to communicate their demands to law makers. This way, the initiators of a lobbying campaign are not on their own anymore, forced to establish personal contacts with the decision makers as in direct lobbying, but they encourage public opinion to take action and influence the political decisions'². Simply put, grassroots lobbying is citizen participation in public or governmental decision.

Grassroots lobbying thus turns into one of the most important tools of civil society, its way to take part in governance, to have a contribution to democratic and transparent decision making in order to achieve and maintain a strong and performant democracy. In order to reach its objectives, grassroots lobbying makes use of various types of activities, among which we can name public mailing campaigns, protest

² Lobby-advocacy.ro, [Online] <http://lobby-advocacy.ro/ce-inseamna-grassroots-lobbying/>

meetings, strikes and public meetings, partisan publicity and / or intensive media campaigns, networking being of essential importance which it nowadays transfers to social media.

Indirect or grassroots lobbying thus requires the existence and proper development of networks that can stimulate the active participation of individuals and communities into determining public policy priorities³.

Being an extremely powerful tool in the process of influencing public decisions, lobbying organizations and public trendsetters should benefit from specific regulations regarding grassroots lobbying. It would be those regulations' role to clearly define the limits, the actors, the procedures and the issues that may be approached by grassroots lobbying in order to help consolidating public administration's effectiveness.

4.2. Context

In 2002, the City Council of Cluj decided to put multilingual labels at all gates of access in the city due to the fact that the Law of Local Administration (Law no. 215/2001) stipulated that the use of mother tongue within public authorities should be allowed and facilitated for ethnic minority groups that represented more than 20% of the entire local community and the name of settlements should be also written in the mother tongue of that specific minority group (Romanian Law of Local Public Administration no. 215/2001).

Following these legal requirements, the City Council of Cluj-Napoca approved the use of the amounts of money necessary to make and establish the multilingual labels at the city entrances (City Council Decision no. 99, enacted on March 7th, 2002).

Despite official local decisions, 12 years after their enactment, the multilingual labels in Cluj-Napoca had still not been placed as the minority had demanded. This was the particular moment when the European Committee Human Rights Hungarians Central Europe, led by Landman Gábor, decided after several letters sent to local decision makers to address to justice in order to force several public authorities in North-Western Romania to establish bilingual Romanian-Hungarian signs.

The Court approved with the request of European Committee Human Rights Hungarians Central Europe and forced the local authorities (the City Hall) to place bilingual signs at all entrances in Cluj-Napoca.

City Hall representatives appealed and the superior Court agreed with all objections as 'the Dutch organization European Committee Human Rights Hungarians Central Europe had no right to make such a request as it was not established in Romania and because the Law of Public Administration in Romania only refers to giving certain rights to individuals from the Hungarian community, not to companies'.

³ Lobby-advocacy.ro, [Online] <http://lobby-advocacy.ro/ce-inseamna-grassroots-lobbying/>

4.3. The Musai-Muszáj initiative group and their lobbying campaign

Taking one step at a time, the local Hungarian community's informal representatives did one of the first and most important things for a proper lobbying campaign: they got legitimacy and relevance in their dialogue with local authorities. They created the Musai-Muszáj initiative group that aimed to gather enough supporters to force local authorities upon establishing the multilingual signs in Cluj-Napoca. More than 1,000 people joined the group in no time and urged the City Hall representatives to obey the Court's decision.

Once they gained public support, representativeness and legitimacy, the Musai-Muszáj initiative group started the real lobbying campaign that included all necessary actions and steps like: public awareness campaign, direct and indirect petitions and contacts, public meetings, media coverage all with the only declared stake of determining the Mayor to establish the bilingual signs and to implement multicultural public policies adapted to the minorities living in Cluj-Napoca.

The campaign calendar expanded over the year 2015 with a more intense activity during the first months of the year. Even though Romania does not have a legal lobbying framework, the campaign undertaken by Musai-Muszáj initiative group can be easily associated to a grassroots lobbying campaign seen as indirect lobbying based on getting large groups of people involved and aware of the stake through: flash-mobs; intensive use of social media as main channel of communications; public debates, conferences; and public petitions meant to put pressure upon City Hall representatives.

As expected, one of the first steps after getting organized was to contact the authorities which were signaled with respect to the organization's requests. Then the campaign that had a very clear message focused on multiculturalism and minority rights to use their own language started to seek for supporters all over the world in order to determine the Romanian decision makers to take action.

The intensive use of social media granted this informal but organized lobbying great transparency, accuracy and massive social involvement and participation. As we can see in the picture below, on February 20th, 2010, a simple post on the Facebook page of Musai-Muszáj initiative group regarding the establishment of bilingual city signs had a reach of more than 1.5 million people, almost 750,000 video views, nearly 180,000 post clicks and gathered more than 190,000 reactions, comments and shares.

Though very creative and public oriented, the so called lobbying campaign lacked the legitimacy that an official lobbying campaign could have had in a traditional, consolidated, strong democratic system where the legal lobbying framework is clearly established.

Even if Musai-Muszáj initiative group was a self-declared representative group, it never had the necessary authority a legal lobbying association would have had in an official lobbying framework and it never represented a real partner for the City Hall of Cluj-Napoca within this context. But it may have represented the perfect marketer

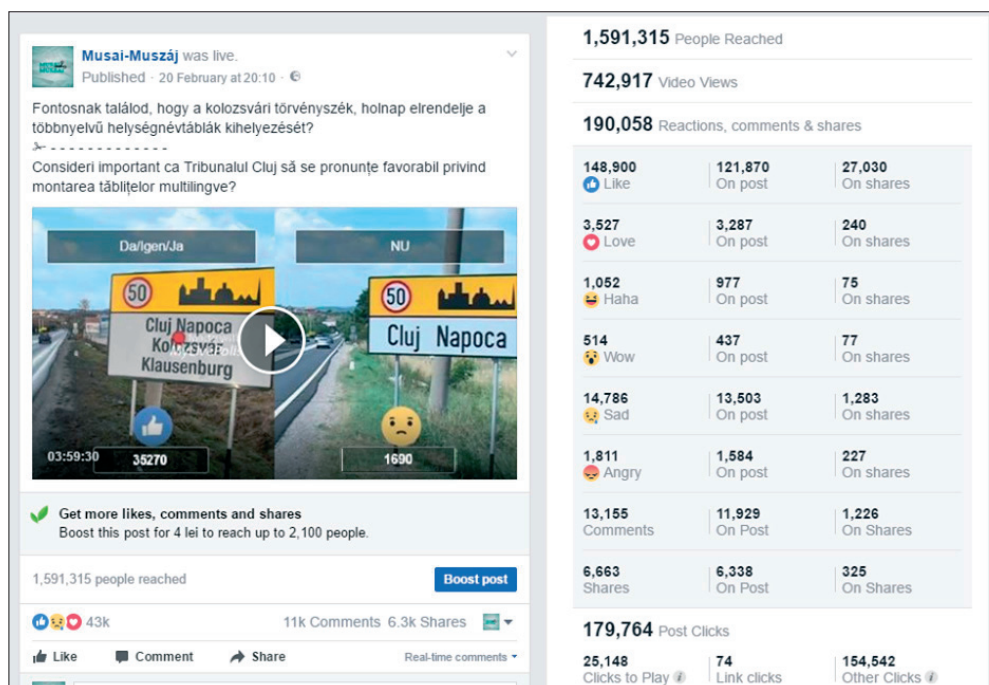


Figure 3: Post on the Facebook page of Musai-Muszáj initiative group regarding the establishment of bilingual city signs, February 20th, 2010

Source: Facebook

and coordinator of public awareness campaigns on human and minority rights in Romania, especially regarding Hungarians.

Very intense, the public awareness campaign included several specific actions, as:

- multilingual picnic in Piața Carolina where people (most of them young people) collected public / individual requests in order to eventually submit them to the Mayor, proving this way the legitimacy and representativeness of the group and also acting like a research agent for the authorities and decision-makers;
- hitchhiking in a multilingual world is the second action of the Communications Strategy, participants holding a multilingual sign from a place where they were long ago placed;
- balloons bond people's hearts included the launch of two giant balloons bearing the Romanian and the Hungarian flags. Besides raising awareness, this particular event / flash-mob marked the first 100 requests of the inhabitants in Cluj in favor to bilingual city signs.

The flash-mobs were included in the project named The Spring of 1,000 law-suits which aimed to gather all one thousand legal actions against the City Hall of Cluj-Napoca.

Acting like a real lobbying group, Musai-Muszáj initiative group also offered its expertise and knowledge to decision-makers.

As part of the same unofficial lobbying campaign, the debates weren't very successful although they reunited journalists, politicians, legal experts, technical experts and representatives of civil society.

The first important – and also the last recognition of the lobbying campaign was given by the support of the local Hungarian minority leaders, among which the vice-mayor of Cluj-Napoca – Anna Horvath, the president of Cluj County – Vákár István and several local elected counselors, university representatives, successful artists, all people that could turn into real influencers for the campaign.

Despite all creativity, enthusiasm and hard work, the campaign coordinated by Musai-Muszáj initiative group finally ended up as being no more than a very good public awareness campaign, but an unsuccessful lobbying campaign: the requested bilingual signs weren't placed at all entrances in Cluj-Napoca by the beginning of the year 2017.

They were finally to be placed following a final Court Decision issued on February 2017 that forced the City Hall of Cluj-Napoca to place bilingual road signs at the city entrances, stating that although the Hungarian minority in Cluj-Napoca does not represent nowadays 20% of the population, it has the legal right to have these signs. The Court motivation made reference to the 1992 Referendum the results of which lead to a Hungarian minority of 23% of the population in Cluj-Napoca. The main argument for this decision was that, at the time the Law of Public Administration was enacted (in 2001), the Hungarian minority in Cluj-Napoca represented over 20% of the population and, although the latest Referendum realized in 2011 reveals a Hungarian minority of only 15.7% of the local community in Cluj-Napoca, it cannot be taken into consideration when talking about bilingual city signs.

So, despite the fact that today the number of native or self-declared Hungarians in Cluj-Napoca does not raise to the level of having bilingual road signs, the Court stated that local authorities should take into consideration the numbers that were valid at the very moment the Law of Public Administration was enacted, meaning the year 2001.

5. Major advantages of regulating lobbying in Romania

Taking into consideration all of the above and according to all theoretical research, we can sum up some major advantages of regulating the lobbying activity that are applicable to Romania:

1. Clear regulations on lobbying would determine increased responsibility of public authorities. Open access to public decisions and decision-makers as well as public control could and should motivate and determine them and to be much more responsible.
2. Clear regulations on lobbying would legitimate public decisions and would make public policies much more effective as it would help and ease access to both information and real needs of society (for decision-makers) and decision-making (for civil society, through representatives). Thus, if public policies were publicly pre-negotiated through public awareness campaigns or consultations with rep-

representative groups of interest, the risk of them being questioned or even rejected by the society would be considerably reduced and the decisional chain would certainly gain stability and efficiency.

3. Strong lobbying regulation would definitely raise the level of public awareness and would increase the level of social participation in the process of decision-making. That is because professional lobbyists usually build a two-way relation with both the society and decision-makers.
4. The level of transparency of the decision-making process would be considerably increased as a consequence of strong lobbying regulation. Eventually, corruption acts and traffic of influence would be significantly reduced due to the simple presence of legal win-win practices.
5. Last, but not least, strong lobbying regulation would clearly represent a push towards a strong democratic system based on transparency, stability, communication, social participation, political correctness, honesty and efficiency, as the use of power governed by legitimacy, low tolerance for corruption and income distributed rather evenly – could contribute to a higher level of social progress (Dan, 2017).

One last argument could be the very lobbying tradition and legal framework in countries with traditional, efficient, long-run democracies, like the United States of America, where lobbying has been legally established more than 80 years ago. Once enacted, such a regulation will be refined so it may become a real representation of democracy (Samuelson, 2008).

6. Final considerations and conclusions

At legislative level, in most of transition countries as Romania is, there is certain controversy over the ways in which lobbying can be implemented and made more appealing to the public. There are several important issues in this controversy:

1. Should lobbying be considered an activity or a profession (meaning, can it be left alone or does it need more thorough regulation, in order to maintain a minimal set of standards in terms of training, practices and procedures)?
2. Should lobbying funding be all transparent?
3. Should the lobbyists' public registration be compulsory or is the low-profile theory better?
4. Is lobbying equally designed to success in all fields of public services, or should it be applied only to certain types of institutions and levels of decisions?

Implementation of lobbying regulations and clear procedures can contribute not only to a more effective and transparent administration and decision making process, but also empower people by giving them more control over the solutions to their problems, and thus limit corruption. Given these, it is of tremendous importance to find the most effective strategies, the main factors that contribute to the success, and the main threats to the implementation of lobbying.

According to Tănase (2014), lobbying in Romania is about to leave childhood as there are long-established companies that professionally develop lobbying activities usually named counseling. In order to bring more dynamics to this process and to help the establishment of lobbying as a legal practice, the Romanian authorities should both increase the transparency of the decisional process and regulate lobbying. We strongly think Romania needs a strong lobbying legal framework in order for those who lobby nowadays and who have thorough knowledge of legal regulations to get involved and have a contribution to the development of really effective public policies.

More than the classical direct lobbying practices, grassroots lobbying can essentially contribute to the growing of a truly representative democratic system in Romania, as it considerably increases the ability of electors to monitor legislative behavior and thus it increases their control over political, administrative and legislative systems (Goldstein, 1999).

Grassroots lobbying is thus one of the most powerful ways to get large groups acquainted to the actions and positions that an official is taking concerning their particular issues and interests, increasing communication links between decision makers and electors (Bergan, 2009). Moreover, grassroots lobbying is a very powerful electoral tool, as some researchers say that the voting habits are very likely to change during and after grassroots lobbying campaigns according to the response of the decision makers to group concerns and interests (Harris and McGrath, 2012).

Eventually, extended practice of grassroots lobbying could lead to more efficient types of public influence, as it could represent the very turn from transactional leadership to transformational leadership as they are described by Hintea (2015) and could develop into being a very important tool in the process of strengthening democratic practices and increasing the effectiveness of public decisions in Romania.

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